

Joint Standing Committee on Education and Cultural Affairs

LD 66

**An Act to Establish Choices for Parents and Guardians
in their Children's Education**

DIED BETWEEN
HOUSES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	OTP-AM A	
	ONTP B	
	OTP-AM C	
	OTP-AM D	

LD 66 proposed to broaden public education options for parents and students and provide that residence no longer be a prerequisite for enrollment in a school administrative unit. A student could attend the public school of the student's choosing subject to some minor limitations. Amendments were made to the School Finance Act of 1985 to reflect the potential increase in enrollment. These changes would have allowed funding to "follow" the student and provided an incentive for each school to maintain or increase enrollment levels.

Committee Amendment "A" (§545) was the majority report of the committee. The amendment proposed to permit a school unit to limit the percentage of students who may choose to attend school in another unit if the loss of students creates a hardship, subject to rules established by the Commissioner of Education. The amendment replaced a requirement that a student identify the reason for enrolling in the enrollment options program with a provision making identification of the reason voluntary. The amendment deleted a provision that would have prevented a school board from considering previous disciplinary proceedings against a student as a basis for acceptance or rejection of a student's application to participate in the choice program.

The amendment clarified that a school administrative unit that does not maintain one or more grades from kindergarten to grade 12 and has not contracted with another school administrative unit for school services may not participate in the enrollment options program. The amendment also made clear that nothing in the enrollment options program restricts the right of a school administrative unit to contract with another school administrative unit to provide school services or restricts the right of a school administrative unit to receive tuition payment for educating a student from another school administrative unit.

The amendment restricted the special education costs that must be borne by a school administrative unit that accepts a nonresident student with special education needs through the enrollment options program. The cost would have been limited to the state average tuition cost. Costs in excess of the state average tuition cost would have been paid by the sending school administrative unit. The amendment required a representative of the sending school administrative unit to participate in all meetings concerning provision of special education services to the student.

The amendment established a review of the enrollment options program after 5 years of operation. The program would have continued for a maximum of 6 years. The Legislature would have been required to approve continuation of the program past the 6th year. The amendment also changed a definition to clarify funding for students who participate in the enrollment options program. (Adopted in Senate, failed in the House)

Committee Amendment "B" (§546) was one of the minority reports. The amendment required the Commissioner of Education to designate 2 pilot sites to implement public school

choice programs. The 2 pilot sites were to be chosen from among partnerships of school administrative units established to demonstrate efficiencies of consolidating certain school functions. The demonstration would have been eligible to apply for grant funds made available by the Department of Education. (Not adopted)

Committee Amendment "C" (§47) was another minority report. This amendment deleted a provision that requires a student applying to participate in the school choice program to identify the reason for choosing to participate. (Not adopted)

LD 505 An Act to Implement the Recommendations of the Committee to PUBLIC 676
Study the Operations of the Governor Baxter School for the
Deaf

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-787

LD 505 was submitted by the Committee to Study the Operations of the Governor Baxter School for the Deaf, created pursuant to Public Law 1993, chapter 508. It proposed the following.

1. Repeal Private and Special Law 1897, chapter 446 that established the governing body of the Governor Baxter School for the Deaf.
2. Eliminate the Policy Review Board of the Governor Baxter School for the Deaf.
3. Establish an independent school board appointed by the Governor responsible for hiring a superintendent, developing a budget and overseeing Governor Baxter School for the Deaf operations.
4. A new definition of the superintendent's role, which includes hiring staff, helping develop the budget and administering the school.
5. Clarified that upon enactment, the Commissioner of Education's collection of fees for rental use of the school's facilities be credited to a special account to support facilities and activities of the current Governor Baxter School.
6. Defined the process by which the school board must submit its budget proposals to the Department of Education for inclusion in the department's budget.
7. Provided transitional language that allows the school board, staff and new Governor Baxter School operations to begin July 1, 1996.

Committee Amendment "A" (H/87) proposed the following.

1. Add an appropriation section and a fiscal note to the bill.
2. Permit payment of per diem and expenses for members of the School Board of the Governor Baxter School for the Deaf.
3. Clarify that funding for the Governor Baxter School for the Deaf must be used to support maintenance of the school and Mackworth Island, security, outreach services, adult education, use of the education network of Maine and operations of the school, including

the residential program, parent/infant program, preschool program and the communication garden program.

4. Increase the membership of the School Board of the Governor Baxter School for the Deaf from 11 to 13 voting members.
5. Require that the Governor give proper consideration to statewide geographical representation, cultural equity and gender equity in appointing members to the school board.
6. Require 8 affirmative votes by the school board to approve the annual budget of the Governor Baxter School for the Deaf.
7. Require the Department of Education to provide administrative assistance to the Governor Baxter School for the Deaf until July 1, 1999.
8. Clarify that the School Board of the Governor Baxter School for the Deaf must annually submit the school budget to the Commissioner of Education for review and inclusion in the department's budget. The budget is subject to the normal budget review process conducted by the Governor and the State Budget Officer.
9. Relieve the Department of Education of liability for operation of the school by the School Board of the Governor Baxter School for the Deaf.
10. Clarify that the employees of the Governor Baxter School for the Deaf remain employees of the State.
11. Require that the joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters establish a committee to review the new governance structure of the school.
12. Clarify that the new governance structure for the Governor Baxter School for the Deaf must be implemented on January 1, 1997, except that the Governor must appoint members to the School Board of the Governor Baxter School for the Deaf by September 1, 1996

Enacted law summary

Public Law 1995, chapter 676 reduces the role of the Department of Education to providing technical support to the Baxter School for the Deaf and establishes a school board, selected by the Governor, to oversee operations of the school.

**LD 827 An Act to Provide for Record Checks of Elementary and
Secondary Education Employees and Applicants**

PUBLIC 547

Sponsor(s)
O'NEAL

Committee Report
OTP-AM

Amendments Adopted
H-724

LD 827, carried over from the 1st session, authorized the Commissioner of Education and state school superintendents to conduct record checks of criminal and investigative information on applicants for employment, certification or recertification in positions that are directly or indirectly in contact with children.

Committee Amendment "A" (H724) is the unanimous committee amendment. It narrowed the provision of the bill requiring a record check for elementary and secondary education employees and applicants to a mandatory check of criminal conviction records. It required the Commissioner of Education to obtain criminal conviction information from the Maine Criminal Justice Information System and allowed the commissioner to rely on information provided up to 24 months prior to the date of issuance of the certification, authorization or renewal. It required the applicant to pay the expense of obtaining this information. The amendment retained the provisions of the bill making criminal conviction information confidential. The amendment also established a study committee to make recommendations on further measures to protect children through improved hiring practices for education employees.

Enacted law summary

Public Law 1995, chapter 547 requires the Commissioner of Education to obtain criminal history record information from the Maine Criminal Justice Information System for anyone applying for certification to teach beginning in 1999.

LD 830 An Act to Establish Charter Schools ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTH	ONTP	

LD 830 authorized the establishment of charter schools within the State and set forth eligibility, application and funding requirements for charter schools.

LD 880 An Act Concerning Referendum Reform for School Budgets INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
REED W	OTP-AM MAJ	
HALL	OTP-AM MIN	

LD 880 required that if an article or several articles of a school administrative district (SAD) budget fail to pass in an initial referendum, a maximum of 2 subsequent referenda may be held to establish the budget. If no budget is passed after the 3rd referendum, the previous year's operating budget becomes the approved budget.

Committee Amendment "A" (H824) is the majority report and replaced the bill. The amendment directed the Commissioner of Education to establish a study committee to review the status statewide of the referendum method of adopting a school budget. The study committee would have consisted of representatives of a wide variety of interested groups and organizations and would have presented any recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 15, 1996. (Not adopted)

Committee Amendment "B" (H825) is the minority report and replaced the bill. Under current law, SADs that vote on school budgets by referendum in each town have 2 options for subsequent votes if they fail to approve a budget at the first vote. Following each failed vote, the SAD school board must decide whether the next vote will be conducted by the referendum method or at a district budget meeting held in one location within the district.

This amendment would have required the SADs that adopt the referendum method to place an article on the annual budget warrant asking if subsequent votes on the budget that year must be done by the referendum method. If a majority of the voters in the school administrative district vote yes, all votes on the budget that year, up to a total of 3, must be done by referendum. The referendum process could not occur more than 3 times or continue past August 1st.

If the voters reject the article, the SAD school board would have been required to decide in a public meeting whether the next vote must be conducted by the referendum method or at a district budget meeting held in one location within the district. Whichever method the board adopted, the vote must be held prior to August 1st.

If the budget is not adopted by August 1st, spending in the district would have been limited to spending for current contracts and essential school needs, as defined by the school board. A 9-member mediation team would have been formed to negotiate the district budget, subject to rules adopted by the Commissioner of Education. A vote of 5 of the voting members of the mediation team would have been needed to approve the budget. The budget must be adopted by the beginning of the district school year. (Not adopted)

LD 1124 An Act Regarding School Facilities and Debt Service Limits

PUBLIC 632

Sponsor(s)
MITCHELL EH

Committee Report
OTP-AM

Amendments Adopted
H-882
H-888
S-574

LD 1124 was carried over from the first session and proposed to implement the school construction and school governance recommendations of the Committee to Study Organizational and Tax Issues in Public Schools.

Committee Amendment "A" (~~H~~882) replaced the original bill. The amendment established ceilings for debt service to the year 2000 and accomplished the following:

1. Required all schools applying for state funds for a school construction project to establish a facility maintenance plan;
2. Required the Department of Education to conduct a survey for the purpose of establishing an inventory of all school facilities in the State;
3. Required the State Board of Education to establish a study group for the purpose of reviewing and making recommendations on a number of school construction issues;
4. Repealed the time limit from Private and Special Law 1995, chapter 32 that required the Maine School Administrative District No. 49 to enter into a design-build contract or other alternative construction arrangement within 2 years of approval at referendum or lose the authority to do so.

House Amendment "A" to Committee Amendment "A" (~~H~~88) was presented on behalf of the Committee on Bills in the Second Reading to make corrections in the title of the bill.

Senate Amendment "A" to Committee Amendment "A" (~~S~~74) eliminated provisions that relate to a school construction project in School Administrative District No. 49 because those

provisions were included in the 1996/1997 supplemental budget, L.D. 1759. The amendment also transferred appointing authority for 2 members of the study group to review and make recommendations on school construction issues from the cochairs of the Joint Standing Committee on Education and Cultural Affairs to President of the Senate and the Speaker of the House of Representatives.

Enacted law summary

Public Law 1995, chapter 632 establishes the statewide debt service limit for approved school construction projects for 1999 at \$69 million and for 2000 at \$70 million. It also requires school units who receive state funds for construction projects to establish a facility maintenance plan and requires the Department of Education to conduct a school facilities inventory.

LD 1560 Resolve, to Reduce Reliance on the Property Tax for School Funding INDEF PP

<u>Sponsor(s)</u> MITCHELL EH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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LD 1560 required the State Board of Education and the Department of Education to work together to establish a plan to promote regionalization and cost sharing among Maine schools.

Committee Amendment "A" (~~H~~61) created a 17-member study commission to investigate alternative methods of financing public education and different methods of reducing reliance on property taxes to fund education. The commission would have submitted its report and any accompanying legislation to the First Regular Session of the 118th Legislature. The amendment also added an appropriation section and a fiscal note to the resolve. (Adopted in House and Senate but died on the Appropriations Table)

LD 1614 An Act to Amend the Law as It Pertains to Payment of Rent by a Blind or Visually Impaired Individual Who Operates a Vending Facility PUBLIC 563

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-744 S-435
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LD 1614 allowed municipalities to charge limited rental fees for a vending facility operated by a person licensed by the Department of Education, Division for the Blind and Visually Impaired if the facility is in a public airport or other public location where certain commercial competitive criteria are met.

Committee Amendment "A" (~~S~~435) made technical changes to the bill and clarified that current operators of vending facilities who are blind or visually impaired and licensed by the Department of Education, Division for the Blind and Visually Impaired are exempt from any requirement to pay a rental fee until their current rental agreement expires.

House Amendment "A" to Committee Amendment "A" (~~H~~44) was offered on behalf of the Committee on Engrossed Bills to clarify the application of the committee amendment.

Enacted law summary

Public Law 1995, chapter 563 permits municipalities to charge rental fees to the operator of a vending facility licensed by the Department of Education, Division of the Blind if the facility is in a public location where commercial competitive criteria are normally met.

LD 1627 An Act to Change the Name of the Maine Youth Apprenticeship Program to the Maine Career Advantage PUBLIC 515

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GWADOSKY	OTP	

LD 1627 proposed to change the name of the Maine Youth Apprenticeship Program to the Maine Career Advantage and make necessary reference changes in the Maine Revised Statutes.

Enacted law summary

Public Law 1995, chapter 515 changes the name of the Maine Youth Apprenticeship Program to Maine Career Advantage.

LD 1640 An Act to Amend the Laws Regarding the Apportionment of Costs of the Mount Desert Island Regional School District among Member Towns P & S 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP	S-422

LD 1640 proposed to provide that 67% of the costs of the Mount Desert Island Regional School District must be apportioned among member towns on the basis of fiscal capacity calculated as a 3-year average of each town's state valuation.

Senate Amendment "A" (S422) added a mandate preamble and a fiscal note to the bill.

Enacted law summary

Private and Special Law 1995, chapter 54 requires that 67% of the costs of the Mount Desert Island Regional School District must be apportioned among member towns on the basis of fiscal capacity calculated as a 3-year average of each town's state valuation.

LD 1642 An Act to Extend Waivers of Certain Provisions of the Education Laws PUBLIC 527

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL MARTIN	OTP-AM	S-433

Due to State and local budgetary hardships, school administrative units have been exempt for several years from meeting State requirements in the areas of student-teacher ratios, school approval, school accreditation, implementation of gifted and talented and guidance and counseling programs. The waiver of these State requirements expires at the beginning of the school year in the fall of 1996. LD 1642 proposed to extend the waiver of these requirements to the 1997 school year.

Committee Amendment "A" (S433) proposed limiting the extension of waivers now in effect for student-teacher ratios, school approval, school accreditation, implementation of gifted and talented and guidance and counseling programs to the 1998 school year.

Enacted law summary

Public Law 1995, chapter 527 limits the extension of waivers now in effect for student-teacher ratios, school approval, school accreditation, implementation of gifted and talented and guidance and counseling programs to the 1998 school year.

LD 1660 Resolve, to Review the Role of the Department of Administrative and Financial Services in Approving School Construction Projects for School Administrative Units

RES

Sponsor(s)
NASS

Committee Report
OTP-AM

Amendments Adopted
H-786

LD 1660 proposed increasing the threshold amount of school administrative projects to \$300,000 before approval is required from the Department of Administrative and Financial Services through the Bureau of General Services.

Committee Amendment "A" (H786) replaced the bill with a requirement that the Commissioner of Education convene a study group, at no cost to the State, to review and make recommendations for improving the current role of the Department of Administrative and Financial Services, Bureau of General Services in approving school construction projects. The group must present its report and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 15, 1996. The amendment replaces the title to reflect the changes made in the amendment.

Enacted law summary

Resolve 1995, chapter 75 requires the Commissioner of Education to convene a study group to review and make recommendations for improving the current role of the Department of Administrative and Financial Services, Bureau of General Services in approving school construction projects.

LD 1678 Resolve, to Authorize the Maine Technical College System to Transfer Interests in Real Property

RESOLVE 60

Sponsor(s)
GWADOSKY

Committee Report
OTP-AM

Amendments Adopted
H-710

Committee Amendment "A" (S480) removed language from one part of the charter that is duplicated in another part of the charter.

Enacted Law summary

Private and Special Law 1995, chapter 67 repeals and replaces the Charter of Bowdoin College.

LD 1747 An Act to Authorize the Maine Photographic Workshops to Grant Degrees P & S 68

Sponsor(s)
PINGREE

Committee Report
OTP

Amendments Adopted

LD 1747 authorized the Maine Photographic Workshops to grant Associate of Arts and Master of Fine Arts degrees.

Enacted Law summary

Private and Special Law 1995, chapter 68 authorizes the Maine Photographic Workshops to grant Associate of Arts and Master of Fine Arts degrees.

LD 1756 An Act to Establish a High School for the Visual and Performing Arts DIED BETWEEN HOUSES

Sponsor(s)
AMERO

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted

LD 1756 proposed establishing the Maine Center for Arts Education. The bill represents the recommendations of the Task Force on the Maine School of Visual and Performing Arts established in Public Law 1993, chapter 706, Part B.

Committee Amendment "A" (S490) corrected language relating to a quorum of the Board of Trustees of the Maine Center for Arts Education, clarified a section relating to public members of the board of trustees and specified that the school may provide innovative programs to assist in the professional development of classroom generalists and special education teachers as well as teachers of visual and performing arts. (Adopted in the House)

LD 1760 An Act to Amend the Definition of "State Agency Client" PUBLIC 569

Sponsor(s)
MARTIN

Committee Report
OTP

Amendments Adopted

LD 1760 made the state agency client provisions of the School Finance Act of 1995 consistent with state and federal laws ensuring special education and early intervention services for children with disabilities.

Enacted law summary

Public Law 1995, chapter 569 makes the state agency client provisions of the School Finance Act of 1995 consistent with state and federal laws ensuring special education and early intervention services for children with disabilities.

**LD 1780 Resolve, to Establish a Tuition Rate for the Town of
Dennysville and to Review the Provision of Education
Services in the Unorganized Territory**

RESOLVE 61

Sponsor(s)

Committee Report

Amendments Adopted
H-716

LD 1780, which was introduced without reference to committee, proposed to establish the tuition charge for students from Dennysville attending Edmunds School for the 1997 school year. The bill also directed the Commissioner of Education, with the assistance of a study committee, to review and make recommendations concerning the provision of education services in the unorganized territory.

House Amendment "A" (H716) adds a fiscal note to the resolve.

Enacted law summary

Resolve 1995, chapter 61 establishes the tuition charge for students from Dennysville attending Edmunds School for the 1996/97 school year. The bill also directs the Commissioner of Education, with the assistance of a study committee, to review and make recommendations concerning the provision of education services in the unorganized territory.

**LD 1786 An Act to Transfer the Agricultural Education Consultant to
the Department of Agriculture, Food and Rural Resources**

ONTP

Sponsor(s)

Committee Report
ONTP

Amendments Adopted

LD 1786 one of 6 bills submitted by the Commission to Study Options for Preserving the Dairy Industry in the State. The bill proposed to transfer the position of agricultural education consultant, established under the Department of Education by the Maine Revised Statutes, Title 20-A, section 253, subsection 6, to the Department of Agriculture, Food and Rural Resources to facilitate and administer the department's educational programs.

LD 1791 An Act to Initiate Education Reform in Maine

PUBLIC 649

Sponsor(s)

AMERO
MITCHELL EH

Committee Report

OTP-AM MAJ
OTP-AM MIN

Amendments Adopted

S-549
S-600

LD 1791 required the Department of Education, in consultation with the State Board of Education, to establish a comprehensive statewide system of learning results no later than the 2002-03 school year. This requirement is consistent with the recommendations in the 1996 report of the Task Force on Learning Results. The bill established guiding principles and content standards for this system of learning results. The system must include a plan to assist school administrative units in helping all students achieve the learning results and a plan for professional development. The bill required the establishment of a student assessment system, encompassing changes to the current assessment tests and a redesigned test for secondary students. Receipt of a high school diploma must be based on the satisfactory completion of the secondary level state and local assessment tests.

Committee Amendment "A" (§49) was the majority report and proposed to replace the bill. The amendment established 6 guiding principles to aid in the development of learning standards for all public school students. Recommendations for the standards, referred to as "learning results" and consisted of content standards and performance indicators, will be developed jointly by the Joint Standing Committee on Education and Cultural Affairs, the Department of Education and the State Board of Education in the areas of career preparation, English language arts, foreign languages, health and physical education, mathematics, science and technology, social studies and visual and performing arts.

Following development of the recommendations, the department and the board would have jointly established content standards and performance indicators through the rulemaking process. As required by that process, public hearings were to be held on the proposed standards and indicators prior to consideration by the Legislature. Review and final acceptance or rejection by the Legislature would have occurred during the First Regular Session of the 118th Legislature.

The amendment required school administrative units to adopt the learning results within current resource levels. Adoption in the areas of English language arts, health and physical education, mathematics, science and technology and social studies could have been achieved within existing budgeted resources. School administrative units could delay implementation of the learning standards in the areas of career preparation, foreign languages and visual and performing arts if implementation cannot be achieved within existing resources.

The amendment provided a \$2,000,000 appropriation for professional development for the 1996-97 school year and requires future annual appropriations of at least \$2,000,000 for professional development. Failure of the Legislature to appropriate funds for professional development in any year would result in suspension of the system of learning results.

The amendment required the department to use the Maine Education Assessment, the "MEA," to measure student and school performance in achieving the learning standards. Students were not required to pass the MEA or achieve a minimum score to complete any grade or graduate from high school. The amendment required the state board and the department to review and make recommendations to the Legislature by January 1, 1997 on linking achievement of the learning results to completion of high school. The amendment also encouraged school administrative units to develop additional local assessments to measure student achievement, including student portfolios, performances, demonstrations and other records of achievements.

The amendment required the department, in consultation with the state board, to develop a plan to assist school administrative units in helping all students achieve the learning results. The amendment also required the department to develop a plan for providing intensive assistance to school administrative units experiencing difficulty meeting the learning results.

The amendment made clear that only public school students and students attending private schools approved for educating public school students are required to meet the learning results. Home-schooled students and students attending religious schools were exempt from the provisions of the bill. The amendment also required the commissioner to develop accommodations for students requiring special education services and for students when course content conflicts with religious beliefs.

The amendment added a fiscal note and an appropriation section to the bill.

Committee Amendment "B" (§550) was the minority report and would have replaced the bill. This amendment changed the bill to a resolve that directed each school administrative unit to review the learning standards set forth in the report of the Task Force on Learning Results and the learning standards adopted in at least one other state in accordance with criteria established by a national teachers' group. The amendment required each school administrative unit to provide to the Commissioner of Education a report on the projected program changes and the costs associated with implementation of those changes. The Commissioner of Education was directed to compile the reports and prepare a review and analysis in accordance with the same criteria used by school administrative units, accompanied by any necessary implementing legislation, for submission to the Legislature by December 30, 1997. This amendment also added a fiscal note to the bill. (Not adopted)

House Amendment "A" to Committee Amendment "A" (~~§54~~) would have replaced the bill. The amendment changed the bill to a resolve that directed each school administrative unit to review the principles of education reform set forth in the report of the Task Force on Learning Results and to provide the Commissioner of Education a report on the projected program changes and the costs associated with implementation of those changes. The Commissioner of Education was directed to compile the reports and prepare a review and analysis, accompanied by any necessary implementing legislation, for submission to the Legislature by December 30, 1997. The amendment added an appropriation section and a fiscal note to the bill. (Not adopted)

House Amendment "B" to Committee Amendment "A" (~~§12~~) proposed to combine the majority and minority reports of the Joint Standing Committee on Education and Cultural Affairs by specifying the learning standards that each school administrative district must review. This amendment established a 15-member study group to develop and recommend standards only in the areas of English language arts, mathematics, science and technology and social studies. (Not adopted)

House Amendment "C" to Committee Amendment "A" (~~§21~~) proposed to delay the State's commitment to annually appropriate at least \$2,000,000 for professional development until fiscal year 1997-98. It replaced the \$2,100,000 General Fund appropriation in fiscal year 1996-97 with a provision that funds the Professional Renewal program in the Department of Education in fiscal year 1996-97 up to \$2,000,000 from the unappropriated surplus of the General Fund after all other required deductions. (Not adopted)

Senate Amendment "A" to Committee Amendment "A" (~~§64~~) proposed to establish minimum homework requirements for students in grades 5 through 12. The amendment also required the preparation of transcripts and specifies the information to be recorded in the transcripts. (Not adopted)

Senate Amendment "B" to Committee Amendment "A" (~~§65~~) proposed to establish criteria by which the content standards must be developed and required the Department of Education to adapt the Maine Education Assessment to focus on student achievement and proficiency in academic subjects. (Not adopted)

Senate Amendment "C" to Committee Amendment "A" ~~(589)~~ proposed to delay the implementation of the professional development plan by one year to July 1, 1997. It also eliminated the General Fund appropriation. (Not adopted)

Senate Amendment "D" to Committee Amendment "A" ~~(594)~~ proposed to delay the State's commitment to annually appropriate at least \$2,000,000 for professional development until fiscal year 1997-98. It replaced the \$2,100,000 General Fund appropriation in fiscal year 1996-97 with a provision that funds the Professional Renewal program in the Department of Education in fiscal year 1996-97 up to \$2,000,000 from the unappropriated surplus of the General Fund after all other required deductions. (Not adopted)

Senate Amendment "E" to Committee Amendment "A" ~~(597)~~ proposed to replace the committee majority report. The amendment established a ~~part~~ process for the development of learning standards for all public school students. Recommendations for the standards, referred to as "learning results" and consisting of content standards and performance indicators, were to be developed jointly by the Joint Standing Committee on Education and Cultural Affairs, the Department of Education and the State Board of Education in the areas of career preparation, English language arts, foreign languages, health and physical education, mathematics, science and technology, social studies and visual and performing arts. Following development of the recommendations, the department and the board would have jointly established content standards and performance indicators through the ~~rulemaking~~ process. As required by that process, public hearings were to be held on the proposed standards and indicators prior to consideration by the Legislature. Review and final acceptance or rejection by the Legislature would have occurred during the First Regular Session of the 118th Legislature. (Not adopted)

Senate Amendment "F" to Committee Amendment "A" ~~(599)~~ delays the implementation of the professional development plan by one year to July 7, 1997. It also eliminates the General Fund appropriation. (Not adopted)

Senate Amendment "G" to Committee Amendment "A" ~~(600)~~ proposed to delay the implementation of the professional development plan by one year to July 3, 1997. It also eliminates the General Fund appropriation.

Enacted law summary

Public Law 1995, chapter 649 establishes, effective July 1997, 6 guiding principles to aid in the development of learning standards for all public school students. Recommendations for the standards, referred to as "learning results" and consisting of content standards and performance indicators, will be developed jointly by the Joint Standing Committee on Education and Cultural Affairs, the Department of Education and the State Board of Education in the areas of career preparation, English language arts, foreign languages, health and physical education, mathematics, science and technology, social studies and visual and performing arts.

Following development of the recommendations, the department and the board will jointly establish content standards and performance indicators through the ~~rulemaking~~ process. As required by that process, public hearings will be held on the proposed standards and indicators prior to consideration by the Legislature. Review and final acceptance or rejection by the Legislature will occur during the First Regular Session of the 118th Legislature.

Chapter 649 requires school administrative units to adopt the learning results within current resource levels. Adoption in the areas of English language arts, health and physical education, mathematics, science and technology and social studies can be achieved within existing budgeted resources. School administrative units may delay implementation of the learning standards in the areas of career preparation, foreign languages and visual and performing arts if implementation cannot be achieved within existing resources.

A \$2,000,000 appropriation is provided for professional development for the 1997 school year and requires future annual appropriations of at least \$2,000,000 for professional development. Failure of the Legislature to appropriate funds for professional development in any year will result in suspension of the system of learning results.

The department must use the Maine Education Assessment (MEA) to measure student and school performance in achieving the learning standards. Students do not have to pass the MEA or achieve a minimum score to complete any grade or graduate from high school. The state board and the department must review and make recommendations to the Legislature by January 1, 1997 on linking achievement of the learning results to completion of high school. School administrative units are encouraged to develop additional local assessments to measure student achievement, including student portfolios, performances, demonstrations and other records of achievements.

The department, in consultation with the state board, must develop a plan to assist school administrative units in helping all students achieve the learning results. The department is also required to develop a plan for providing intensive assistance to school administrative units experiencing difficulty meeting the learning results.

Only public school students and students attending private schools approved for educating public school students are required to meet the learning results. Home schooled students and students attending religious schools are exempt from the provisions of the bill. The commissioner must develop accommodations for students requiring special education services and for students when course content conflicts with religious beliefs.

**LD 1800 Resolve, to Recognize the Maine School for the Arts and the
Maine High School for the Arts**

RESOLVE 79

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUMBRA	OTP-AM MAJ	H-794
PARADIS	ONTP MIN	

LD 1800 recognized the existence of the Maine School for the Arts, also known as the Maine High School for the Arts

Committee Amendment "A" (H794) removed the emergency preamble and emergency clause, made technical changes to the resolve, corrected the name of the Maine School for the Arts/Maine High School for the Arts and placed standard restrictions on protection of the school's name as required by state law.

Enacted law summary

Resolve 1995, chapter 79 recognizes the existence of the Maine School for the Arts / Maine High School for the Arts.

LD 1818 An Act to Require that Public Schools Permit Participation in Curricular, Cocurricular and Extracurricular Activities for Students Enrolled in Approved Equivalent Instruction Programs

PUBLIC 610

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-871

LD 1818 established uniform standards for participation by students receiving home instruction in curricular, cocurricular and extracurricular activities and special education services and for the use of the books, equipment and facilities of the public schools those students may otherwise attend. The bill also established standards for readmission to and graduation from the high school a student receiving home instruction may attend.

Committee Amendment "A" (H-871) made a number of technical changes to the bill and clarified responsibilities of students, parents and school administrative units concerning access to public schools by home-schooled students. The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 610 establishes statewide standards for schools to follow in permitting access to public schools by home-schooled students.

LD 1866 An Act to Improve the Child Development Services System

PUBLIC 662

Sponsor(s)

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted
S-534

LD 1866 proposed the following changes to the Child Development Services System or "CDS."

1. Required the Commissioner of Education to establish a committee to review and report back to the next Legislature on the provision of mandated services within the Child Development Services System. If services exceed minimum federal requirements, the commissioner must recommend changes to limit services to the minimum required by federal law.
2. Required the Commissioner of Education, with assistance from the Child Development Services System advisory board, to establish a method to determine the cost of employing professional therapists as CDS site staff and report those recommendations to the next Legislature.
3. Under current law, the Interdepartmental Coordinating Council for Early Intervention is established as an advisory body to the Commissioner of Education. This bill also required the council to advise the Legislature on the status of the Child Development Services System.

4. Required the Interdepartmental Coordinating Council for Early Intervention to review and make recommendations to the next Legislature to improve quality and consistency in the Child Development Services System.
5. Permitted the board of directors of a CDS regional site to hire one or more professional therapists as site employees if the therapists are needed to perform child evaluations, if the therapists can perform services at a substantial savings to the Child Development Services System or if contract therapists are unable to provide required services within federal timelines.
6. Limited membership on regional boards governing the Child Development Services System to members who derive no revenue from work performed for the system.
7. Established service provider advisory boards to each regional site board of directors.

Committee Amendment "A" (§534) makes a technical change and adds a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (§536) removes language added by the bill that grants authority to the board of directors of a Child Development Services System regional site to hire one or more professional therapists as site employees if certain conditions are met. The amendment retains the current provision of law that permits a local board of directors to employ qualified professional and other staff at the local site. (Not adopted)

Enacted law summary

Public Law 1995, chapter 66 requires the Commissioner of Education to review the provision of services within in the CDS system to ensure services do not exceed minimal federal standards. It also limits membership on regional boards governing the CDS system to members that derive no revenue from work performed for CDS.

LD 1870 An Act to Authorize Casco Bay College to Grant Degrees

P & S 72

Sponsor(s)

Committee Report
OTP

Amendments Adopted

Casco Bay College is currently limited to offering Associate of Science degrees in several specific subject areas. LD 1870 proposed expanding Casco Bay College's authority to grant degrees by permitting the college to grant Associate of Science degrees in whatever subject area its directors may prescribe. The bill also acknowledged the change in the name of the school, which occurred in 1974, from Plus Gray's School of Business to Casco Bay College.

Enacted law summary

Private and Special Law 1995, chapter 72 expands Casco Bay College's authority to grant degrees by permitting the college to grant Associate of Science degrees in whatever subject area it wishes.